

Paper No. 26

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PATENT DEPARTMENT
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JUN 17 2002

OFFICE OF PETITIONS

In re Application of :
De Vries, et al. :
Application No. 09/180,798 : ON PETITION
Filed: November 18, 1998 :
Attorney Docket No. S-137-1103/S :

This is a decision on the petition filed on April 16, 2002, pursuant to 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely file a proper reply to the final Office action mailed June 19, 2001. This Office action set a shortened statutory period for reply of three months. Petitioner filed an amendment on September 4, 2001. However, in an Advisory Action mailed on September 21, 2001, the examiner informed petitioner that this amendment failed to place the application in condition for allowance. Petitioner filed another amendment on December 3, 2001, made timely by including a Certificate of Mailing dated October 19, 2001 and by obtaining a one month extension of time. However, petitioner was again notified that the amendment failed to place the application in condition for allowance in an Advisory Action mailed on January 2, 2002. Accordingly, the above-identified application became abandoned on October 20, 2001. A Notice of Abandonment was mailed on February 25, 2002.

Petitioner has met the requirements for a grantable petition under 37 CFR 1.137(b). Petitioner paid the petition fee, submitted a reply in the form of a Request for Continued Examination (RCE) under 37 CFR 1.114 (with fee), including a submission in the form of an amendment, and made a proper statement of unintentional delay.

The application file is being forwarded to Technology Center 1600 for consideration of the RCE and the submission, an amendment filed April 16, 2002.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0272.

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